

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TODD BRINKMEYER

Petitioner,

v.

WASHINGTON STATE LIQUOR AND
CANNABIS BOARD,

Respondent.

Case No. 3:20-cv-05661-BHS

**DECLARATION OF ANDY MURPHY IN
SUPPORT OF STIPULATED MOTION TO
LIFT STAY**

I, Andy Murphy, hereby declare and state as follows:

1. I am one of the attorneys representing Petitioner Todd Brinkmeyer in this action. I am over the age of eighteen, have personal knowledge of the matters contained in the Declaration, am competent, and if called would testify thereto.

2. Attached hereto as exhibits to this declaration are six docket items from *Brinkmeyer v. Washington State Liquor and Cannabis Board*, Thurston County Superior Court Cause No. 3:20-2-01568-34. These exhibits are true and correct copies of the following items submitted or ordered in that matter:

Exhibit A: Receipt of remand by Superior Court, as filed on October 26, 2020;

Exhibit B: Motion for Preliminary Injunction, as filed on December 30, 2020;

Exhibit C: Order Denying Preliminary Injunction, as ordered on January 29, 2021;

Exhibit D: Plaintiff's Motion for Summary Judgment, as filed on April 7, 2021;

Exhibit E: Response to Summary Judgment, as filed on June 21, 2021; and

Exhibit F: Order Granting Summary Judgment to the Board and Denying Plaintiff's Motion for Summary Judgment, as ordered on July 23, 2021.

3. During the Thurston County Superior Court action, counsel for the Washington State Liquor and Cannabis Board's ("LCB") took parental leave. The parties mutually agreed to a summary judgment motion briefing schedule that accounted for the leave.

4. On November 1, 2021, I asked counsel for the LCB if the LCB would stipulate to lift the stay in this case. After counsel agreed to stipulate on November 3, the parties jointly prepared the stipulation.

I declare under penalty of perjury under the law of the United States of America that the foregoing is true and correct.

EXECUTED in Seattle, WA on this 19th day of November, 2021.

s/ Andy Murphy

Andy Murphy

DECLARATION OF SERVICE

I, Andy Murphy, hereby declare under penalty of perjury under the laws of the United States and of the state of Washington, that on this 19th day of November, 2021, I caused the foregoing to be filed using the CM/ECF system which will send notice of the same to all registered parties

SIGNED at Seattle, Washington this 19th day of November, 2021.

s/ Andy Murphy

Andy Murphy